

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Agricultural Marketing Department – Departmental Proceedings initiated against Sri V.S.R.K. Prasad, Assistant Executive Engineer(AM), Vijayawada on the allegation of irregularities in execution of work of "Construction of 5000 MT Godown No's.1, 2 & 3 in Market Yard at Gollapudi of A.M.C, Vijayawada" – Inquiry conducted – Penalty of withholding of one annual grade increment with cumulative effect besides recovery of loss of Rs.5,29,301/- caused to the AMC imposed – Review Petition filed – Review Petition allowed – Set aside the penalty and recovery of loss – Orders – Issued.

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AGRICULTURE & CO-OPERATION(VIG.II) DEPARTMENT

G.O.Rt.No.452

Dated:19.07.2022

Read the following:-

1. G.O.Rt.No.10, Agri.&Coop.(Vig.II) Dept, dated:16-01-2017.
2. Inquiry Report of the Commissioner of Inquiries-JS, dated:18-03-2020.
3. G.O.Rt.No.428, Agri.& Coop.(Vig.II) Dept., dated:13-07-2021.
4. From Sri V.S.R.K. Prasad, Asst. Executive Engineer(AM), Vijayawada, Review Petition dated:18-08-2021.
5. From the C&DoAM, AP, e-file No.AGC01-MKTG/140/2021-VIG-II (Computer No.1501231), dated:30-05-2022.

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ORDER:

In a disciplinary case, on the allegation of irregularities in execution of work of "Construction of 5000 MT Godown No's.1, 2 & 3 in Market Yard at Gollapudi of A.M.C, Vijayawada", the Government had initiated departmental proceedings by framing article of charge against Sri V.S.R.K.Prasad, Assistant Executive Engineer(AM), O/o Deputy Executive Engineer(AM), Vijayawada vide G.O.1st read above.

2. After conducting regular inquiry, the Inquiring Authority/ Commissioner of Inquiries-JS has furnished the inquiry report on 18-03-2020 stating that, the charge framed against the Charged Officer Sri V.S.R.K.Prasad, Assistant Executive Engineer(AM), O/o Deputy Executive Engineer(AM), Vijayawada is held proved.

3. After following the due procedure, the Government have imposed a penalty of "Withholding of one (1) Annual Grade Increment with cumulative effect besides recovery of Rs.5,29,301/-(Rupees Five lakh Twenty Nine thousand Three hundred and One only) towards his share for causing financial loss to the Government" against Sri V.S.R.K. Prasad, Assistant Executive Engineer(AM), Vijayawada, in the above said disciplinary case vide G.O.3rd read above.

4. Aggrieved by the above, Sri V.S.R.K.Prasad, Assistant Executive Engineer(AM), O/o Deputy Executive Engineer(AM), Vijayawada has filed Review Petition dated:18-08-2021 before the Government stating that, the Godowns were scheduled to be completed by 14-10-2011, but could not be completed. 1st E.O.T. was granted up to 31-03-2012 for all godowns without any penalty. Penalty of Rs.20,000/- as a fine was imposed by the

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Executive Engineer(AM), Vijayawada, for (3) Godowns on 30-03-2012. 2nd E.O.T was granted up to 30-06-2012. All the (3) Godowns work was completed by 02-05-2012. He has further stated that, he was transferred to AMC, Warangal on 13-06-2013, and no further price adjustment was prepared and paid by 13-06-2013 except the payment made for Rs.15,87,903/- on 05-01-2012 in LS.II & Part Bill. Therefore, he has requested the Government to consider his Review Petition favourably and set aside the punishment of imposing penalty of withholding of one annual grade increment with cumulative effect, and recovery of Rs.5,29,301/- and necessary orders in this regard exonerating him fully of the charges and imputations leveled against him.

5. In the reference 5th read above, the Commissioner & Director of Agricultural Marketing, AP, Guntur has offered his specific remarks on the above said Review Petition stating that, Sri V.S.R.K.Prasad, Assistant Executive Engineer(AM), Vijayawada has been transferred to Warangal at the time of releasing the final payments and the Engineers at Sub-Division and Division level who recommends the final payment has to effect the recoveries whatever to be made at the time of final bill. The said loss caused to the AMC, Vijayawada is due to Deputy Executive Engineer(AM), Vijayawada (i.e. Late Sri Y.S.A.V.S.R.K.Prasad) and Executive Engineer(AM), Vijayawada (Sri K.Jayasekhar), who did not act according to their commitment and thus, the Assistant Executive Engineer(AM), Vijayawada is not responsible.

6. After thorough examination of the matter, keeping in view of the justification given by the Commissioner & Director of Agricultural Marketing, AP, Guntur, Government have considered to allow the Review Petition filed by Sri V.S.R.K.Prasad, Assistant Executive Engineer(AM), Vijayawada and accordingly set aside the penalty of "Withholding of one (1) Annual Grade Increment with cumulative effect besides recovery of an amount of Rs.5,29,301/- imposed on against Sri V.S.R.K. Prasad, Assistant Executive Engineer(AM), Vijayawada, in the G.O.3rd read above, since the appellant is not responsible for effecting the recovery, subject to recovery of the loss for an amount of Rs.5,29,301/- on equal share from Sri K. Jayasekhar, Executive Engineer(AM), Vijayawada and the legal heirs of Late Sri Y.S.A.V.S.R.K.Prasad, Deputy Executive Engineer(AM), Vijayawada under Rule 9 (7) of Andhra Pradesh Revised Pension Rules, 1980.

7. The Commissioner & Director of Agriculture Marketing, A.P., Guntur shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri V.S.R.K. Prasad, Assistant Executive Engineer(AM), Vijayawada.

Sri K. Jayasekhar, Executive Engineer(AM), Vijayawada.

The Legal heirs of Late Sri Y.S.A.V.S.R.K.Prasad, Deputy Executive Engineer(AM), Vijayawada (Through : The Commissioner & Director of Agricultural Marketing, AP, Guntur)

Copy to:-

The Commissioner & Director of Agricultural Marketing, AP, Guntur.
SF/SC.

// FORWARDED::BY ORDER //

K. Sampath Kumar
SECTION OFFICER